

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION NO :3294 OF 2006

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DATED: 13-03-2007

BETWEEN:

Ms.Burla Satyavathi.

..... PETITIONER

AND

The Superintendent of Police (Rural)
Eluru,
West Godavari District & another.

.....RESPONDENTS

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ORDER:

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Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus directing the 1st respondent herein to transfer the C.D. file of Cr.No.124 of 2004 of Dendulur police station, West Godavari District, registered under Section 302 r/w 34 IPC from the 2nd respondent to the C.B.C.I.D., West Godavari District, at Eluru for proper investigation.

3. Petitioner is the wife of one late Veera Venkataramaiah who was found with bleeding injuries on his head, face, and mouth in his agricultural fields situated in Pothunuru village on 07-09-2004 and when he was shifted to the hospital he was declared dead. It is stated that the police registered Cr.No.124 of 2004 of police station, Dendulur under Section 174 Cr.P.C. as 'suspicious death'. Petitioner makes specific allegations against one Gurajala Pandurangarao who said to have attacked the husband of the petitioner with regard to the bode dispute. It is stated that the police is not making any effective investigation in respect of the death of her husband. Therefore, the petitioner filed the present writ petition.

4. Learned Government Pleader appearing for the respondent filed a memo in CR.No.4657/C6/C-23/CID/05, dated 27-06-2006, on the file of the Additional Director General of Police, C.I.D., Hyderabad, stating that the Government has already taken a decision vide its memo

No.19053/BPC/06, dated 24-06-2006, of the Principal Secretary, Home (PSC) department to refer the case for investigation by the C.I.D. Accordingly, one P.Narasimharao, Inspector, C.I.D.RCIU, Rajahmundry was directed to take up investigation in the said case immediately from the local police for further investigation and submit his P.E. report along with check list within a fortnight. The Superintendent of Police, Eluru, West Godavari District was also requested to direct the concerned to hand over the C.D. file and connected records to the said Narasimharao so as to take up further investigation.

5. In view of the aforesaid orders passed by the Government, no further orders are required to be passed in this Writ Petition. Accordingly, the Writ Petition is closed. No order as to costs.

V.ESWARAIAH, J

13th March, 2007
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